

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAXIMINIO AMBRIZ-AGUILERA,

Defendant.

CASE NO. CR07-262-MJP

DETENTION ORDER

Offense charged:

Count I: Conspiracy to Distribute Methamphetamine, in violation of Title 21,
United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.

Date of Detention Hearing: July 27, 2007

The Court, having conducted a uncontested detention hearing pursuant to Title 18
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention
hereafter set forth, finds that no condition or combination of conditions which the defendant
can meet will reasonably assure the appearance of the defendant as required and the safety
of any other person and the community. The Government was represented by Sarah Vogel.
The defendant was represented by Robert Goldsmith.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) There is probable cause to believe the defendant committed the conspiracy drug offense. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk under Title 18 U.S.C. § 3142(e).
- (2) Nothing in this record satisfactorily rebuts the presumption against release for several reasons:
 - (a) The defendant presents a risk of nonappearance due to the following: He is a citizen and national of Mexico who has been previously deported; his background and his ties to the Western District of Washington are unknown/unverified; there are at least three extractable warrants pending against defendant.
 - (b) The Bureau of Immigration and Customs Enforcement has filed a detainer against defendant.
 - (c) Defendant does not contest to detention at this time, reserving the right to address detention in the future.

It is therefore ORDERED:

- (1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which

1 the defendant is confined shall deliver the defendant to a United States
2 Marshal for the purpose of an appearance in connection with a court
3 proceeding; and

- 4 (4) The clerk shall direct copies of this order to counsel for the United
5 States, to counsel for the defendant, to the United States Marshal, and to
6 the United States Pretrial Services Officer.

7 DATED this 30th day of July, 2007.

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10 MONICA J. BENTON
11 United States Magistrate Judge
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